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MEMORANDUM

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NATIONAL SECURITY COUNCILDOS, NSC, review
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EXCLUSIVELY EYES ONLYACTIONMarch 15, 1973
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MEMORANDUM FOR:

MR. KISSINGER

FROM:

JOHN H. HOLDRIDGE *JH*

SUBJECT:

UNCURK and the Korean Item in
the UN

You will recall that in discussing the Korean situation with Chou En-lai, he indicated that if we can secure the abolition of UNCURK the Chinese would be willing to "keep the issue quiet." By this we assume he meant the whole Korean question in the UN next fall. You told Chou that you believed it would be possible to obtain the abolition of UNCURK by the second half of this year, and that you had talked this matter over with the President and had received his agreement. You said that you would see if you could get the South Koreans to agree and, if possible, to have them propose UNCURK's abolition. If not, you would consult with the other members (we believe that you meant the other members of UNCURK). Chou said that it would be best if the South Koreans took the initiative. You told Chou that you would have the answer for the Chinese on this by mid-March.

To begin sorting this issue out, it might be useful to ask Ambassador Habib for his views on how the South Koreans might react to offering to abolish UNCURK if some arrangement can be worked out with the other side to keep the Korean issue quiet in the next UN session. He might also be asked about South Korean willingness to take the initiative. At Tab A is a draft back-channel message from you to Habib which sets forth this proposition. It is put in terms of its occurring to you following your talks with the Chinese, and makes no mention of the subject having been discussed with them.

Your recent conversation with ROK Foreign Minister Kim Yong-sik provides some insight into current South Korean thinking on this issue (Tab B). When you asked Kim about UNCURK, he seemed to suggest that its terms of reference were no longer germane, but added that the organization should be maintained in order to put pressure on the North Koreans. It would thus appear from Kim's words that we might have some difficulty in persuading the South Koreans to go along.

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-2-

However, there are a number of factors which might be used to persuade the South Koreans to go along. First, the quid pro quo we would be proposing in itself constitutes some pressure on North Korea, and the ROKs themselves--if they had some confidence in the outcome of the deal--might be glad to get the Korean issue cooled in the UN next fall. Second, UNCURK may be in the process of falling apart anyway. Two of its member nations (Chile and Pakistan) have already withdrawn; both the Netherlands and Australia have indicated that they believe it no longer has any utility; the Thai and the Turks appear disinterested. The logic of trading a fading asset for a tangible gain might appeal to the ROKs if the proposition is presented to them in this form.

There is one major hitch to the outright abolition of UNCURK, however. A State paper (Tab C) points out that the outright abolition of UNCURK would require formal action by the UNGA--which almost inevitably would lead to the acrimonious UN debate that both we and the PRC want to avoid. In addition, such a debate could result in others attacking the UNC, and the ensuing UNGA action formally abolishing UNCURK could be read as a North Korea victory and could suggest a repudiation of UNCURK's past actions in Korea.

The State paper therefore suggests several alternatives, the most preferable of which, in my opinion, would be that of having the UNCURK reach an informal understanding to adjourn sine die, and to inform the UNGA of their decision, explaining that in light of the South-North talks UNCURK's efforts to secure Korean reunification were no longer necessary. The organization would still remain on the books, thereby preserving the fiction of its existence, but to all intents and purposes cease to be a factor on the Korean scene. As with the first alternative, the ROK's taking the initiative with the UNCURK members toward this end would have a number of advantages for Seoul and ourselves: it would help avoid an appearance that the move had been forced on the ROK, would help the ROK steal a march on the North, would spike any North Korean claim of victory, and would give the PRC and other Communist nations leverage to try to persuade North Korea to acquiesce in deferral of a UNGA debate.

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-3-

In the case of either alternative, however, we would want to have some idea of the ROK attitude.

Recommendation:

That you approve the draft back-channel message to Ambassador Habib at Tab A.


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EYES ONLY FOR AMBASSADOR HABIB FROM HENRY A. KISSINGER

1. During my recent talks in Peking I gained the impression that the Chinese share our interest in not exacerbating tensions in the Korean Peninsula. In thinking this over, it has occurred to me that it might be desirable to try to sidestep a potentially disruptive debate on the Korean item in the coming UNGA session by moving in advance to abolish UNCURK.
2. As it looks to me, UNCURK is a major focus of Communist attention but now serves no real practical purpose other than to provide a UN presence in the ROK. In any event, its days appear numbered due to the withdrawal of Chile and Pakistan, as well as Australia's possible withdrawal.
3. It would therefore appear desirable to trade off what is at best a fading asset for at least a reasonable chance of staving off a full debate on Korea, and thus deflect attention from the much more sensitive issue of the UN Command. In my opinion the Chinese are likely to go along tacitly with moves by our side to play down the Korean issue.
4. Without approaching your hosts, I would appreciate your views on this subject, and on how the ROK's would react. Could the proposition be put to them in such a way as to get them to see advantages?

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-2-

5. A State study, however, points out that the outright abolition of UNCURK would have to be undertaken through formal UNGA action-- which would almost inevitably lead to the acrimonious debate we and the PRC want to avoid. The State paper therefore suggests an alternative under which the UNCURK members would agree to adjourn sine die, and would inform the UNGA of their decision, explaining that in light of the South-North talks its continued efforts to secure the reunification of the two Koreas were no longer necessary.

6. Whichever of these alternatives we might decide on, we can see a considerable advantage in the ROK's taking the initiative to propose such a move. By doing so, it would help avoid an appearance that the move had been forced on the ROK, would have the ROK steal a march on the North, and would spike any North Korean claim of victory. In short, it would put the ROK in the best possible psychological and political position with respect to the DPRK. Also, an ROK initiative would give the PRC and other Communist nations leverage to persuade North Korea to acquiesce in deferral of the UNGA debate.

7. Your early estimates and comments would be very helpful. I regret not having been able to have discussed this with you in person during your recent stay in Washington.

8. Warm regards.

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March 8, 1973

UNCURK

BACKGROUND

UNCURK was established by the UNGA in 1950 with the mission of achieving under UN auspices a "unified, independent and democratic government" in Korea. Since then, its mandate has been regularly reaffirmed by the UNGA but in 1971 and 1972 the UNGA deferred debate on Korea. By virtue of the successive UNGA actions, UNCURK has a separate juridical status, a Commission designated by the UNGA, and a UN Secretariat funded annually by the UN budget. Furthermore, it symbolizes the historic UN role in Korea and the UN's involvement in a major international political issue. Nevertheless, during its twenty-two plus years of existence, UNCURK has in fact done little but observe elections and other developments in the South making no progress in its assigned mission. (A full background memo on UNCURK prepared for NSSM 154 is attached.)

CURRENT PROSPECTS AND SIGNIFICANCE

With each passing year, UNCURK grows increasingly anachronistic and increasingly viewed as an outdated vestige of the cold war. The problem of unification and South-North relations has been de facto transferred to the direct talks between the ROK and Pyongyang. Two members, Pakistan and Chile, have withdrawn and others, Australia in particular, are threatening to follow. Its mission of observing elections is necessarily no asset to the ROK exposing it to criticism while leaving the North unexposed. UNCURK will not, for example, send a report on the recent National Assembly elections as a compromise to avoid a critical report. And, it has been determined easier to secure in 1971 and 1972 deferment of the UNGA debate rather than to ask for positive reaffirmation of its UNCURK mandate. In 1973, the early prospects for gaining UNGA support for even deferment are not too promising. Not only will UNCURK lack support in the UNGA from the

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Communist bloc, many African states and non-aligned countries, but its past supporters in the West increasingly wonder if its preservation is worth the effort in an era of detente.

In the past, UNCURK has been considered worth preserving as a symbol of UN political support for the ROK and its legitimacy in the North-South struggle. UNCURK has provided the ROK with moral and political buttressing, but has only the most indirect security significance. Both the US and UN Commands, which have a security role, would not necessarily be affected by UNCURK's dissolution. However, the dissolution of UNCURK could lead to efforts to disengage the UN totally from its historic role in Korea and to challenge, specifically, the UN Command, whose maintenance has been of greater value to the United States.

The ROK, in particular, has placed great store in preserving UNCURK as a vehicle to confirm its privileged international position and to provide a major advantage over the North in its claim to legitimacy as the sole internationally recognized government in Korea. But, recently there have been signs of ROK flexibility on the continuation of UNCURK and some recognition of the prospect of UNCURK's dissolution in the near term. The ROK leadership would still, however, far prefer UNCURK's continuation and in particular be seriously concerned about any faltering in firm US support for the ROK position at the UN. The ROK places little intrinsic value in UNCURK, per se, but it would be more fundamentally disturbed by its dissolution, under some circumstances, as the first step toward eventual total UN disengagement from Korea and "big power" determination of Korea's interests. The ROK leadership also fears adverse domestic repercussions from UNCURK's dissolution. However, the ROK might be convinced to accept UNCURK's dissolution, if, as a quid pro quo, UNGA debate were at the same time deferred -- thereby minimizing the risk to the ROK of the North achieving equal international status to it.

ALTERNATIVE METHODS TO DISSOLVE UNCURK

1. Formal Action by the UNGA

The most direct and legally approved method to dissolve UNCURK would be by formal UNGA action. But, this

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approach could almost inevitably lead to a recriminatory UN debate, some downgrading of the past UN role in Korea, a loss of status for the ROK, and a grant of legitimacy to the North with little to gain for the ROK. Additionally, an UNGA debate on Korea might well get out of control and lead to a resolution urging dissolution as well of the remaining UN structure in Korea, including the UN Command. From the ROK viewpoint, and US as well, this course of events would be the worst of all developments.

2. Action by UNCURK

UNCURK's presence in the Republic of Korea might effectively be ended without General Assembly action by:

- a. An informal understanding among its remaining members that its activities would cease on a given date without formally reporting to the UN;
- b. An informal understanding by the members to adjourn sine die combined with a report informing the UNGA of its decision that, in light of the North-South talks, it no longer needs to function;
- c. A formal decision by these members that it would no longer meet or report to the UN General Assembly because the situation in Korea no longer warranted further UNCURK activities; or,
- d. The resignation of one or more of the remaining UNCURK members, leading to either of the foregoing situations.

Any form of unilateral action by UNCURK, without formal confirmation and debate by the UNGA, is obviously open to challenge by the legal and UN purists. They will question the action on the grounds that it represents an undesirable precedent, and that it degrades the historic UN role in Korea. The UN Secretary General may well see a UN-vested interest in keeping involved in Korea, having been excluded in Viet-Nam.

Unilateral action obviously requires the cooperation of the UNCURK members, and Thailand and the Philippines will find it difficult to agree without ROK assent. For

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this and, other more basic reasons, ROK acquiescence will be essential. Furthermore, if the approach is to succeed, all the major powers, including the PRC and the USSR (ergo North Korea), must concur in order to defer the very kind of acrimonious UNGA debate this tactic is designed to avoid.

An associated and potentially major problem will be the need to disband the UN Secretariat staff at UNCURK headquarters. The UN Secretary General would have to be persuaded to recall the staff. In the absence of such steps, the UN's expenses for UNCURK would still be discussed each year in the UNGA's Administrative and Budgetary Committee.

On the other hand, the potential advantages of this approach are very compelling: it could avoid the need for an UNGA debate; it provides a graceful exit for UNCURK least harmful to ROK interests, or to the remaining UN presence in Korea; and it offers less immediate gain to the North. Finally, this approach provides greater potential for leverage with the Communist nations supporting the North in gaining a quid pro quo satisfactory to ROK interests -- specifically, for example, a deal to drop UNCURK in exchange for deferring UN debate and the dismantling of other UN machinery until the prospects for a stable North-South accommodation are far more advanced.

Of the four approaches offered, the informal understanding ("a" or "b" above) may be preferable since they provide the minimal target for the UNGA and it could be argued that UNCURK is "inactive" but not formally dissolved. A more formal action might lead to stronger demands for formal UNGA confirmation of the UNCURK action, ergo a UN debate, although any unilateral approach is vulnerable to such a demand.

PROPOSED SCENARIO

ELEMENTS OF A QUID PRO QUO ANNOUNCEMENT:

1. The UNCURK membership would unilaterally decide to adjourn sine die, on the grounds that the North-South talks no longer necessitate its functioning, and so report to UNGA.

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2. The UNCURK Secretariat would withdraw from Korea.

3. The UNGA would defer debate on Korea in 1973 without taking formal action to confirm the dissolution of UNCURK, with the understanding that UNGA debate would be resumed only when North-South talks had reached decisions requiring or making advisable further UN action, i.e., admission of two Koreas.

4. In 1974 and subsequent years, the Korean item would no longer be inscribed on the UNGA provisional agenda, in the absence of an UNCURK report.

5. The ROK and North Korea would be separately encouraged to pursue their bilateral and direct efforts to reach at least a temporary accommodation, assuming unification is still not feasible.

TACTICS

Stage One -- Explorations:

1. The US will informally and quietly explore with and seek the agreement of the PRC and USSR to the proposed arrangement.

2. The ROK, with US support, would simultaneously explore potential support for a reenactment of 1972 UNGA deferment scenario with a view to providing further leverage in gaining PRC and USSR support for the proposed arrangement. (Neither power nor North Korea should assume we have no alternative but to accept a losing fight on deferment.)

Stage Two -- ROK Acquiescence:

Assuming PRC and USSR (and implicitly North Korean) agreement to the proposed arrangement, ROK acquiescence would be sought on the grounds that it offers the best prospect for promoting the North-South talks free from disruptive UN involvement or the threat of total UN disengagement from Korea. It could be argued that, even though a 1973 UNGA deferment might be possible, the proposed arrangement gives greater security to the ROK in subsequent years.

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Stage Three -- UNCURK Actions:

1. The UNCURK membership would be consulted and encouraged to dissolve informally.

2. Japan and the UK would be privately consulted on the proposed course of action. (They are unlikely to have any objections.)

3. Simultaneous with UNCURK dissolution, the UN Secretary General would be requested to withdraw the UNCURK Secretariat.

Stage Four -- UNGA Action:

The UNGA would defer debate on the Korean item with the support of the major powers.

Attachment:

Background memo on UNCURK
prepared for NSSM 154.

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